

REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4(b), the Air Resources Board (ARB) requests an early effective date for the enclosed adoption of title 13, California Code of Regulations (CCR), sections 1968.2 and 1968.5, and documents incorporated therein. Good cause for this request exists.

The ARB adopted sections 1968.2 and 1968.5, title 13 CCR to supercede the current OBD II and enforcement regulations, respectively, for 2004 and subsequent model year passenger cars, light-duty trucks, and medium-duty vehicles and engines. Section 1968.2 reflects modifications and new requirements that provide for improved monitoring system performance. Section 1968.5 better addresses and identifies the special circumstances involved in in-use testing and the issuing and implementing of remedial orders to correct any identified problems that are unique to OBD II systems. The new regulations will have a positive impact on air quality by helping to ensure that forecasted emission reduction benefits from California's Low Emission Vehicle II program are achieved. Monitoring of a motor vehicle's emission control system through the use of OBD II systems helps guarantee that vehicles initially certified to the very low and near-zero emission standards maintain their performance throughout the entire vehicle life. The new enforcement provisions will better able the ARB to ensure that OBD II systems are effective and durable.

An early effective date will allow manufacturers to more expeditiously implement the requirements for the 2004 model year, for which production has started or is imminent for many models. This in turn will benefit Californians who will be assured of a timely and available supply of new motor vehicles that meet the latest and most stringent emission standards. On the other hand, an early effective date should not have any adverse consequences for the regulated community (motor vehicle manufacturers and statewide inspection and maintenance stations) or the general public.

ARB intends to notify all affected manufacturers of the effective date of the amendments as soon as it is known.

Date: March 5, 2003

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